

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA	:	CASE NO. 1:02-CR-12-1
	:	
PLAINTIFF,	:	JUDGE: DLOTT
	:	
v.	:	Defendant, Kevin Hamlett's,
	:	Motion to Terminate Probation
KEVIN HAMLETT	:	
	:	
DEFENDANT.	:	

Now comes Defendant, Kevin Hamlett, by and through counsel, and requests that this Court terminates and releases him from his remaining period of probation. In support of his Motion, Kevin Hamlett states:

MEMORANDUM

Mr. Hamlett was placed on supervised release for the instant action (money laundering) for three years in October of 2004 after serving a period of incarceration. Since October 22, 2004 Mr. Hamlett has been supervised by Bill Grajeda who is a United States Probation Officer in Arizona. (Affidavit by Mr. Grajeda attached as Exhibit A). Mr. Hamlett has been on probation for just under two years and is scheduled to be off probation on October 22, 2007. (Id).

While on probation Mr. Hamlett has done the following:

1. Submitted written reports and physically reported to the probation office every month;
2. Submitted around 30 urine tests, the most recent being August 7, 2006. All have been negative;

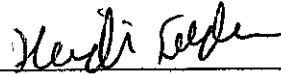
3. Submitted to random home visits and taken breathalyzer tests, all of which were satisfactory;
4. Completed all of his Court ordered community service;
5. Submitted financial paperwork to ensure nothing is going on that might lead to criminal activity; and,
6. Maintained gainful employment at Don Mackey Cadillac, Inc. (Id).

Mr. Hamlett has paid all of his fines, costs, restitution and financial obligations. The printout showing his balance of zero dollars owed from the United States Court Southern District of Ohio Clerk of Courts is attached as Exhibit B. Mr. Hamlett has had no further action with law enforcement and there were no aggravating factors surrounding his involvement in the underlying action. Mr. Hamlett has fully complied with all terms of his probation and has given every indication that he has successfully rehabilitated himself. (See Exhibit A). If Mr. Hamlett's probation is not terminated Mr. Grajeda intends to delete his reporting requirement. (Id).

Mr. Hamlett has worked his way up at Don Mackey Cadillac, Inc. He has been offered the position of Director of Financing. To qualify for that position, Mr. Hamlett must secure a credit insurance producer license. Mr. Grajeda supports Mr. Hamlett's efforts to do this. (Id). Mr. Hamlett cannot receive a credit insurance producer license if he is on active probation.

WHEREFORE, for the above reasons and any others that may appear to the Court, it is respectfully requested that Defendant's motion be granted and an order issued terminating Mr. Hamlett's remaining period of probation and releasing him from probation.

Respectfully Submitted,

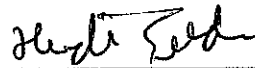


Heidi A. Selden (0066022)
Attorney for Defendant
Cohen, Todd, Kite & Stanford, LLC
250 E. Fifth St. Suite 1200
Cincinnati, Ohio 45202
(513) 333-5215: phone
(513) 241-4490: fax
hselden@ctks.com

Certificate of Service

I hereby certify that on this 17th day of September, 2006, I filed the above with
the Clerk of Courts.

Respectfully Submitted,



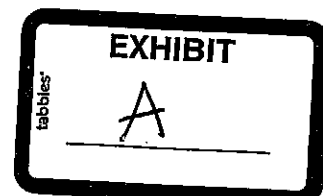
Heidi A. Selden (0066022)
Attorney for Defendant
Cohen, Todd, Kite & Stanford, LLC
250 E. Fifth St. Suite 1200
Cincinnati, Ohio 45202
(513) 333-5215: phone
(513) 241-4490: fax
hselden@ctks.com

AFFIDAVIT OF UNITED STATES PROBATION OFFICER BILL GRAJEDA

STATE OF ARIZONA)
County of Pima) ss.

BILL GRAJEDA, being first duly sworn, upon his oath deposes and says:

- 1.) That he is a United States Probation Officer and has held that position since October 1999;
- 2.) That he is the probation officer assigned to supervise Kevin Hamlett in connection with United States District Court for the Southern District of Ohio case number CR-1-02-12-1, *United States of America v. Kevin Hamlett* ;
- 3.) That he has supervised Kevin Hamlett since October 22, 2004;
- 4.) That Kevin Hamlett was placed on probation for a period of three years, and is scheduled to be off of probation, unless terminated earlier, as of October 21, 2007;
- 5.) That during the approximately 22 months that he has supervised Kevin Hamlett, Mr. Hamlett has submitted written reports every month and has physically reported to the United States Probation Office every month. If Mr. Hamlett's probation is not terminated, he intends to delete the requirement that Mr. Hamlett physically report to the probation office each month because there is no need to do so;
- 6.) That during the time that he has supervised Mr. Hamlett, Mr. Hamlett has submitted approximately 30 urine tests for the presence of illicit substances, the most recent being August 7, 2006, and all of those tests have been negative;
- 7.) That during the time he has supervised Mr. Hamlett, he has conducted random home visits at the residence of Mr. Hamlett and has conducted Breathalyzer tests;
- 8.) All of the home visits have been favorable and all of the Breathalyzer tests have been negative;
- 9.) That as of August 2006 Kevin Hamlett has completed all of his Court ordered community service;
- 10.) That during the course of his supervision of Kevin Hamlett, he has requested that Mr. Hamlett submit financial paperwork to ensure that Mr. Hamlett has not been engaged in any type of criminal activity or in any type of activity that might lead to criminal activity;
- 11.) Mr. Hamlett has submitted all requested financial paperwork, and there has been no



indication that Mr. Hamlett is engaged in any criminal activity or that he is engaged in any activity that might lead to criminal activity;

- 12.) That he has been advised that Kevin Hamlett has submitted payment of the remaining balance due towards his fine, but that he has not yet seen physical documentation of the actual payment;
- 13.) That Kevin Hamlett has fully complied with all terms of his probation and has given every indication that he has successfully rehabilitated himself during the term of his probation;
- 14.) That one of the most significant indications of Mr. Hamlett's rehabilitative efforts has been the fact that Mr. Hamlett has maintained gainful employment at Don Mackey Cadillac, Inc. and that he has performed so well with Don Mackey Cadillac Inc. that he has been offered the position of Director of Financing by the owner, Don Mackey;
- 15.) That he is aware that in order for Mr. Hamlett to qualify for the position of Director of Financing, he must secure a credit insurance producer license from the Arizona Department of Insurance, and that he approves of Mr. Hamlett's efforts to do so.

DATED this 18 day of August, 2006.

Bill Grajeda

Bill Grajeda

UNITED STATES PROBATION OFFICER

SUBSCRIBED AND SWORN to before me this 18th day of August, 2006, by

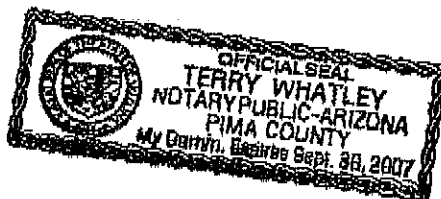
Bill Grajeda

Terry Whatley

Notary Public

My commission expires:

9-30-07



RUN ON 09/01/06

FEDERAL COURT SYSTEMS
SOUTHERN DISTRICT OF OHIO
CASE INQUIRY REPORT

PAGE: 1

CASE NO: 1:02-CR-012-01 TITLE: USA VS HAMELETT, KEVIN

DEFENDANT #

ORDERED AMOUNT

AMOUNT PAID

BALANCE DUE

ACCOUNT

PAYMENT TYPE

1 HAMELETT, KEVIN
1 HAMELETT, KEVIN

100.00
4,000.00

100.00
4,000.00

0.00
0.00

504100
504100

SPECIAL ASSESSMENT
FINE

4,100.00

4,100.00

0.00

TRANSACTION

RECEIPT/ VOUCHER
VOUCHER DATE
INCREASE/ (DECREASE)
CASE BAL

TYPE OF TRANS-
ACTION

ACCOUNT
NUMBER

DEPENDANT
PAYEE/BANK
NUMBER

U.S.
TREASURY

COMMERCIAL
BANKS

OTHER

RECEIVED 60200738101 10/15/03

25.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

25.00

RECEIVED 60200795301 01/12/04

40.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

40.00

RECEIVED 60200854301 04/12/04

25.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

25.00

RECEIVED 60200913301 07/15/04

10.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

10.00

RECEIVED 60200913801 07/15/04

15.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

15.00

RECEIVED 10042597701 03/07/05

200.00

MO

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

200.00

RECEIVED 10042620901 03/28/05

250.00

MO

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

250.00

RECEIVED 10042770901 08/02/05

150.00

MO

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

150.00

RECEIVED 10043156501 08/24/06

3,385.00

CK

504100

1

U.S.

TREASURY

COMMERCIAL

BANKS

OTHER

3,385.00

***** CASE SUMMARY *****

TOTAL CASE BALANCE: 4,100.00

BALANCE IN U.S. TREASURY:
CASE DEPOSITORY MAINT. BALANCE :

0.00
0.00

BALANCE IN COMMERCIAL BANKS:
CASE DEPOSITORY MAINT. BALANCE :

0.00
0.00

DEPOSITS TO RECEIPT ACCOUNTS: 4,100.00

TYPE OF TRANSACTION:

EXHIBIT

B

591994

AD: ADJUSTMENT-388800
BD: DIRECT BANK DEPOSIT
CK: CHECK
CV: CASE VOUCHER
I: INTEREST

AI: ADJUSTMENT
BT: BANK TRANSFER
CL: COLLATERAL
DW: DIRECT WITHDRAWAL
MO: MONEY ORDER

BV: BANK VOUCHER
CC: CREDIT CARD
CN: CONVERSION
DV: DEBIT VOUCHER
TR: TRANSFER

CH: CASH
CR: CASE REFUND
FF: FORFEITURE
VD: VOID